

# HB0341S01 compared with HB0341

~~text~~ shows text that was in HB0341 but was deleted in HB0341S01.

inserted text shows text that was not in HB0341 but was inserted into HB0341S01.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Doug Owens proposes the following substitute bill:

## BEARS EARS VISITOR CENTER ADVISORY COMMITTEE

2021 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Doug Owens**

Senate Sponsor: \_\_\_\_\_

Cosponsor:

Phil Lyman

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### LONG TITLE

#### General Description:

This bill provides for an advisory committee to study a Bears Ears visitor center.

#### Highlighted Provisions:

This bill:

- ▶ creates the advisory committee;
- ▶ specifies powers and duties of the advisory committee, including contracting with a consultant;
- ▶ provides for the repeal of the advisory committee; and
- ▶ makes technical changes.

#### Money Appropriated in this Bill:

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This bill appropriates in fiscal year 2022:

- ▶ to the Legislature - Senate as a one-time appropriation:
  - from the General Fund, \$2,300;
- ▶ to the Legislature - House of Representatives as a one-time appropriation:
  - from the General Fund, \$4,700; and
- ▶ to the Department of Heritage and Arts - Indian Affairs as a one-time appropriation:
  - from the General Fund, ~~(\$6)~~ \$10,800.

### Other Special Clauses:

None

### Utah Code Sections Affected:

AMENDS:

**63I-2-209**, as enacted by Laws of Utah 2020, Fifth Special Session, Chapter 12

ENACTS:

**9-9-112**, Utah Code Annotated 1953

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **9-9-112** is enacted to read:

**9-9-112. Bears Ears Visitor Center Advisory Committee.**

(1) Utah extends an invitation to the Navajo Nation, the Ute Mountain Ute Tribe, the Hopi Nation, the Zuni Tribe, and the Ute Indian Tribe of the Uintah Ouray to form an advisory committee for the purpose of exploring the feasibility, location, functions, and other important matters surrounding the creation of a visitor center at Bears Ears.

(2) As used in this section:

(a) "Advisory committee" means the Bears Ears Visitor Center Advisory Committee created by this section.

(b) "Bears Ears" means the Bears Ears National Monument.

(3) ~~There~~ **(a) Subject to Subsection (3)(b), there** is created the Bears Ears Visitor Center Advisory Committee consisting of the following eight members:

~~(f)(i)~~ five voting members as follows:

~~(f)(A)~~ a representative of the Navajo Nation, appointed by the Navajo Nation;

~~(f)(B)~~ a representative of the Ute Mountain Ute Tribe, appointed by the Ute Mountain

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Ute Tribe;

(~~fv~~iii)C) a representative of the Hopi Nation, appointed by the Hopi Nation;

(~~fv~~iv)D) a representative of the Zuni Tribe, appointed by the Zuni Tribe; and

(~~fv~~v)E) a representative of the Ute Indian Tribe of the Uintah Ouray, appointed by the

Ute Indian Tribe of the Uintah Ouray; and

(~~fv~~vi)ii) subject to Subsection (4), three nonvoting members as follows:

(~~fv~~vii)A) one member of the Senate, appointed by the president of the Senate; and

(~~fv~~viii)B) two members of the House of Representatives, appointed by the speaker of the

House of Representatives.

(b) The advisory committee is formed when all of the tribes described in Subsection (1)(a)(i) have communicated to the other tribes and to the Division of Indian Affairs that the tribe has appointed a member to the advisory committee.

(4) At least one of the three legislative members appointed under Subsection (3)(~~fv~~ix)a(ii) shall be from a minority party.

(5) The advisory committee may select from the advisory committee members the chair or other officers of the advisory committee.

(6) (a) If a vacancy occurs in the membership of the advisory committee appointed under Subsection (3), the member shall be replaced in the same manner in which the original appointment was made.

(b) A member appointed under Subsection (3) serves until the member's successor is appointed and qualified.

(7) (a) A majority of the voting members of the advisory committee constitutes a quorum.

(b) The action of a majority of a quorum constitutes an action of the advisory committee.

(8) (a) The salary and expenses of an advisory committee member who is a legislator shall be paid in accordance with Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

(b) An advisory committee member who is not a legislator may not receive compensation or benefits for the member's service on the advisory committee, but may receive per diem and reimbursement for travel expenses incurred as an advisory committee member at

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the rates established by the Division of Finance under:

(i) Sections 63A-3-106 and 63A-3-107; and

(ii) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

(9) The advisory committee may invite the United States Forest Service, the Bureau of Land Management, the Division of Parks and Recreation, and the Utah Office of Tourism within the Governor's Office of Economic Development, to serve as technical advisors to the advisory committee.

(10) The Division of Indian Affairs shall staff the advisory committee.

(11) The advisory committee shall study and make recommendations concerning:

(a) the need for a visitor center associated with Bears Ears;

(b) the feasibility of a visitor center associated with Bears Ears, including investigating:

(i) potential locations for the visitor center;

(ii) purposes for the visitor center; and

(iii) sources of funding to build and maintain the visitor center;

(c) whether a visitor center will increase visitorship to Bears Ears; and

(d) whether a visitor center at Bears Ears could function as a repository of traditional knowledge and practices.

(12) The advisory committee may contract with one or more consultants to conduct work related to the issues raised in Subsection (11) ~~if the Legislature appropriates money expressly for the purpose of the advisory committee contracting with a consultant.~~

(13) The advisory committee shall hold at least one public hearing to obtain public comment on the creation of a Bears Ears visitor center.

(14) The advisory committee shall report the advisory committee's recommendations to ~~the Economic Development and Workforce Services Interim Committee by no later than the November 2021 interim meeting of~~ one or more of the following:

~~(a) the Economic Development and Workforce Services Interim Committee. The recommendations shall include whether additional meetings of the advisory committee are necessary for the advisory committee to complete the duties of the advisory committee;~~

(b) the House Economic Development and Workforce Services Committee; or

(c) the Senate Economic Development and Workforce Services Committee.

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Section 2. Section **63I-2-209** is amended to read:

**63I-2-209. Repeal dates -- Title 9.**

(1) Section 9-9-112, Bears Ears Visitor Center Advisory Committee, is repealed ~~November 30,~~ December 31, ~~2022,~~ 2024.

(2) Title 9, Chapter 6, Part 9, COVID-19 Cultural Assistance Grant Program, is repealed June 30, 2021.

Section 3. **Appropriation.**

The following sums of money are appropriated for the fiscal year beginning July 1, 2021, and ending June 30, 2022. These are additions to amounts previously appropriated for fiscal year 2022. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the Legislature appropriates the following sums of money from the funds or accounts indicated for the use and support of the government of the state of Utah.

ITEM 1

To Legislature - Senate

From General Fund, One-time \$2,300

Schedule of Programs:

Administration \$2,300

ITEM 2

To Legislature - House of Representatives

From General Fund, One-time \$4,700

Schedule of Programs:

Administration \$4,700

ITEM 3

To Department of Heritage and Arts - Indian Affairs

From General Fund, One-time ~~10,800~~ \$10,800

Schedule of Programs:

Indian Affairs ~~10,800~~ \$10,800

The Legislature intends that an appropriation provided under these items be used for expenses relating to the per diem and reimbursement for travel expenses incurred by the Bears Ears Visitor Center Advisory Committee as described in Section 9-9-112 and costs of staffing the committee. It is the intent of the Legislature that the appropriations be nonlapsing.

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